

COMMONWEALTH OF KENTUCKY  
BEFORE THE PUBLIC SERVICE COMMISSION

In the Matter of:

ELECTRONIC APPLICATION AND REQUEST	)	
FOR DECISION BY APRIL 5, 2021 OF	)	
KENTUCKY POWER COMPANY FOR AN	)	
ORDER APPROVING ACCOUNTING	)	
PRACTICES TO ESTABLISH A REGULATORY	)	CASE NO.
ASSET RELATED TO THE EXTRAORDINARY	)	2021-00129
EXPENSES INCURRED BY KENTUCKY	)	
POWER COMPANY IN CONNECTION WITH	)	
THREE FEBRUARY 2021 MAJOR STORM	)	
EVENTS	)	

ORDER

On March 18, 2021, Kentucky Power Company (Kentucky Power) filed a motion, pursuant to 807 KAR 5:001, Section 13, and KRS 61.878, requesting that the Commission grant confidential treatment for Exhibit 4 to Kentucky Power’s application for 20 years. The designated material consists of internal accounting procedures.

In support of its motion, Kentucky Power argued that the designated material contains sensitive business operations procedures and that public disclosure would result in competitive injury because competitors could incorporate the information into their own business strategies. Kentucky Power stated that the same information was previously granted confidential treatment by the Commission.<sup>1</sup>

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<sup>1</sup> Case No. 2020-00174, *Electronic Application of Kentucky Power Company for (1) A General Adjustment of Its Rates for Electric Service; (2) Approval of Tariffs and Riders; (3) Approval of Accounting Practices to Establish Regulatory Assets and Liabilities; (4) Approval of a Certificate of Public Convenience and Necessity; and (5) All Other Required Approvals and Relief* (Ky. PSC Oct. 26, 2020).

Having considered the motion and the material at issue, the Commission finds that the designated material is generally recognized as confidential or proprietary; it therefore meets the criteria for confidential treatment and is exempted from public disclosure pursuant to 807 KAR 5:001, Section 13, and KRS 61.878(1)(c)(1).

IT IS THEREFORE ORDERED that:

1. Kentucky Power's motion for confidential treatment is granted.
2. The designated material granted confidential treatment by this Order shall not be placed in the public record or made available for public inspection for 20 years or until further Order of this Commission.
3. Use of the designated material granted confidential treatment by this Order in any Commission proceeding shall comply with 807 KAR 5:001, Section 13(9).
4. Kentucky Power shall inform the Commission if the designated material granted confidential treatment by this Order becomes publicly available or no longer qualifies for confidential treatment.
5. If a nonparty to this proceeding requests to inspect the material granted confidential treatment by this Order and the period during which the material has been granted confidential treatment has not expired, Kentucky Power shall have 30 days from receipt of written notice of the request to demonstrate that the material still falls within the exclusions from disclosure requirements established in KRS 61.878. If Kentucky Power is unable to make such demonstration, the requested material shall be made available for inspection. Otherwise, the Commission shall deny the request for inspection.
6. The Commission shall not make the requested material available for inspection for 30 days from the date of service of an Order finding that the material no

longer qualifies for confidential treatment in order to allow Kentucky Power to seek a remedy afforded by law.

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By the Commission



ATTEST:

  
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